UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,489	08/01/2001	Fred S. Cook	1487	7107

			EXAMINER
28004	7590	02/18/2005	PEACHES, RANDY

SPRINT
6391 SPRINT PARKWAY
KSOPHT0101-Z2100
OVERLAND PARK, KS 66251-2100

ART UNIT	PAPER NUMBER
2686	

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/920,489	COOK, FRED S.
	Examiner	Art Unit	
	Randy Peaches	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 January 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,3-8,10-15,17-21 and 23-32</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1, 3-8,10-15,17-21 and 23-32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/11/2005 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1.   *Claim 1,3, 5, 24-26* are rejected under 35 U.S.C. 102(b) as being anticipated by Connolly et al (U.S. Patent Number 5,325,419).

Regarding *claim 1*, Connolly et al discloses a method of operation with a service control point (SCP), the method comprising:

- receiving an AIN Information Analyzed message, which reads on claimed "call set-up", from a Personal Communication System (PCS), which reads on claimed "first device is a wireless device," into the said SCP via a PCS Switching Center

(PSC) for an incoming call. Reference FIGURE 11, column 31 line 6-9, lines 58-60, respectively.

- processing the AIN Information Analyzed to authenticate, which reads on claimed "identify", said PCS (calling party or originating device). See columns 31 lines 62-68 and column 32 lines 10-16;

- generating an AIN Route Analyzed message (announcement), column 31 lines 24-25, which reads on claimed "alert message", indicating the user profile, which reads on claimed "call and caller information", from the call set-up message. See column 33 lines 17-20.

- transmitting the said AIN Route Analyzed message (announcement) to the calling party. See column 31 lines 24-25.

- receiving a said AIN Information Analyzed message from the said PCS into the said SCP wherein the said AIN message indicates a called party number and called party ID, which reads on claimed "second device", receive the incoming call. See column 31 lines 60-61.

- processing the said AIN message to translate into AIN Route Analyzed message which details the routing, as taught in column 31 and 32 lines 62-68 lines 1-10, respectively, that connects the incoming call to the said called party, and

- transmitting the said AIN Route Analyzed message, which reads on claimed "routing instruction", from the said SCP.

Regarding *claim 24*, Connolly et al discloses a method of operating a portable hand-set

terminal, which reads on claimed "first device is a wireless device", the method

comprising:

- receiving an announcement or page request, as taught in column 32 lines 48-52,

  which reads on claimed "alert message", indicating that an incoming call and

  caller information from the said SCP into the said portable hand-set terminal;

- recognizing, which reads on claimed "processing", the said announcement or

  page request. See column 32 lines 51-52.

- sending a message to the appropriate intelligent base station, which reads on

  claimed "communication device". See column 32 lines 54-55;

- sending a Page Response message, as taught in column 32 lines 53-56,

  indication a terminal's, which reads on claimed "second device," to receive the

  incoming call (see column 32 lines 56-59; and

- transmitting the said Page Response message from the said portable hand-set

  terminal to the Personal Communication System 2 (PCS2) then further to the

  said SCP, as taught in column 33 lines 10-23.

Regarding *claims 3 and 25*, as claimed in *claims 2 and 24*, Connolly et al further

teaches wherein the first device comprises a portable handset terminal. See Abstract

and column 7 lines 53-57, FIGURE 11 and column 31 lines 4-9.

Regarding **claims 5 and 26**, as claimed in **claims 1 and 24**, Connolly et al further

discloses wherein the said AIN Route Analyzed message (announcement), comprises a

Redirecting Party ID, which reads on claimed "called party number". See column 32,

line 6.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   *Claim 4* is rejected under 35 U.S.C. 103(a) as being unpatentable over Connolly

et al (U.S. Patent Number 5,325,419) in view of Koster (U.S. Patent Number

5,511,111).

Regarding *claim 4*, according to *claim 1*, Connolly et al fails to disclose wherein the call

set-up message comprises a Transaction Capabilities Application Part query.

Koster teaches in columns 2 and 3 lines 41-67 lines 1-46, respectively, of a

Transaction Capabilities Application Part message utilized as signaling transport

medium containing instructions detrimental in a said AIN for call-set up purposes.

Therefore, at the time of the invention it would have been obvious to a person of

ordinary skilled in the art to modify Connolly et al (U.S. Patent Number 5,325,419) to

included Koster (U.S. Patent Number 5,511,111) in order provide a signaling means for

the establishment of a call.

3.   *Claim 6* is rejected under 35 U.S.C. 103(a) as being unpatentable over Connolly

et al (U.S. Patent Number 5,325,419) in view of Serbetcioglu et al (U.S. Patent Number

5,511,111).

Regarding *claim 6*, according to *claim 1*, Connolly et al fails to disclose determining

whether the incoming call is to be intercepted for a called party.

        Serbetcioglu et al (U.S. Patent Number 5,511,111) teaches in column 3 lines 16-

21, of a feature server capable of intercepting an incoming call for a called subscriber

and prompt the subscriber to speak his or her name or punch in a pin number.

        Therefore, at the time of the invention it would have been obvious to a person of

ordinary skilled in the art to modify Connolly et al (U.S. Patent Number 5,325,419) to

include Serbetcioglu et al (U.S. Patent Number 5,511,111) in order to provide a means

to intercept an incoming call for authorization purposes. In addition, in certain cases

where the incoming call is subject to be a telefax or modem, the respected call will be

directed accordingly.

4.   *Claim 7* is rejected under 35 U.S.C. 103(a) as being unpatentable over Connolly

et al (U.S. Patent Number 5,325,419) in view of Poole et al (U.S. Patent Number

6,590,965 B1).

Regarding *claim 7* , according to *claim 1*, Connolly et al fails to disclose of the

generation of a session for an incoming call with a session identifier.

Poole et al teaches in column 12 lines 18-31, of a session identifier and how it is used to identify the initiation of an incoming call.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Connolly et al (U.S. Patent Number 5,325,419) to included Poole et al (U.S. Patent Number 6,590,965 B1) in order to identify the calling party's incoming call during the establishment of a call sequence.

5.   **Claims 8, 10, 12, 15, 17, 19 and 23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Connolly et al (U.S. Patent Number 5,325,419) in view of Torba et al (U.S. Patent Number 6,563,788 B1).

Regarding **claim 8**, Connolly et al discloses in column 8 lines 38-43 and the abstract, a wireless personal communication system with a Service Control Point (SCP) comprising:

- receiving an AIN Information Analyzed message, which reads on claimed "call set-up", from a Personal Communication System (PCS), which reads on claimed "first device is a wireless device," into the said SCP via a PCS Switching Center (PSC) for an incoming call. Reference FIGURE 11, column 31 line 6-9, lines 58-60, respectively.

- processing the AIN Information Analyzed to authenticate, which reads on claimed "identify", said PCS (calling party or originating device). See columns 31 lines 62-68 and column 32 lines 10-16;

- generating an AIN Route Analyzed message (announcement), column 31 lines
  24-25, which reads on claimed "alert message", indicating the user profile, which
  reads on claimed "call and caller information", from the call set-up message. See
  column 33 lines 17-20.

- transmitting the said AIN Route Analyzed message (announcement) to the
  calling party. See column 31 lines 24-25.

- receiving a said AIN Information Analyzed message from the said PCS into the
  said SCP wherein the said AIN message indicates a called party number and
  called party ID, which reads on claimed "second device", receive the incoming
  call. See column 31 lines 60-61.

- processing the said AIN message to translate into AIN Route Analyzed message
  which details the routing, as taught in column 31 and 32 lines 62-68 lines 1-10,
  respectively, that connects the incoming call to the said called party, and

- transmitting the said AIN Route Analyzed message, which reads on claimed
  "routing instruction", from the said SCP.

However, Connolly et al does not disclose a processor that executes the said

functions when a call is received at the SCP. In addition, Connolly et al fails to disclose

an interface connected to a processor.

Torba et discloses in column 12 lines 7-16, of a Service Control Point (SCP, 123)

whose functionality is enhanced by a CTI processor (119). Torba et al further teaches

that the said processor (119), in turn, enhances the functionality of the said SCP (123)

by virtue of software provided by a host computer, which reads on claimed "storage

medium operational to store the said software". Torba et al further teaches and

represents a coupled interface between the said SCP (123) and CTI processor (119) in

FIGURE 5.

Therefore, at the time of the invention it would have been obvious to a person of

ordinary skilled in the art to modify Connolly et al (U.S. Patent Number 5,325,419) to

included Torba et al (U.S. Patent Number 6,563,788 B1) in order to incorporate a

software and processor, to execute the functions desired by the said SCP, into the

architecture of the said SCP.

Regarding *claim 15*, Connolly et al discloses in column 8 lines 38-43 and the abstract, a

wireless personal communication system with a Service Control Point (SCP)

comprising:

- receiving an AIN Information Analyzed message, which reads on claimed "call

  set-up", from a Personal Communication System (PCS), which reads on claimed

  "first device is a wireless device," into the said SCP via a PCS Switching Center

  (PSC) for an incoming call. Reference FIGURE 11, column 31 line 6-9, lines 58-

  60, respectively.

- processing the AIN Information Analyzed to authenticate, which reads on claimed

  "identify", said PCS (calling party or originating device). See columns 31 lines

  62-68 and column 32 lines 10-16;

- generating an AIN Route Analyzed message (announcement), column 31 lines

  24-25, which reads on claimed "alert message", indicating the user profile, which

reads on claimed "call and caller information", from the call set-up message. See column 33 lines 17-20.

- transmitting the said AIN Route Analyzed message (announcement) to the calling party. See column 31 lines 24-25.

- receiving a said AIN Information Analyzed message from the said PCS into the said SCP wherein the said AIN message indicates a called party number and called party ID, which reads on claimed "second device", receive the incoming call. See column 31 lines 60-61.

- processing the said AIN message to translate into AIN Route Analyzed message which details the routing, as taught in column 31 and 32 lines 62-68 lines 1-10, respectively, that connects the incoming call to the said called party, and

- transmitting the said AIN Route Analyzed message, which reads on claimed "routing instruction", from the said SCP.

However, Connolly et al does not disclose a SCP interface connected to the processor that executes the said functions when a call is received at the SCP.

Torba et al teaches by disclosing an interface, represented between the said CTI processor (119) and the said SCP (123), operable as a transmission medium for processed messages performed by the said CTI processor (119). See FIGURE 5.

Therefore, at the time of the invention it would have been obvious to a person of

ordinary skilled in the art to modify Connolly et al (U.S. Patent Number 5,325,419) to

included Torba et al (U.S. Patent Number 6,563,788 B1) in order to incorporate a said

SCP interface, to execute the desired function of transmitting a call information to the

respected said portable hand-set terminal, into the architecture of the said SCP.

Regarding *claims 10 and 17*, as the above combination of Connolly et al (U.S. Patent

Number 5,325,419) and Torba et al (U.S. Patent Number 6,563,788 B1) are made, the

combination according to *claims 9 and 16*, Connolly et al further teaches wherein first

device comprises a portable handset terminal. See Abstract and column 7 lines 53-57,

FIGURE 11 and column 31 lines 4-9.

Regarding *claims 12 and 19*, as the above combination of Connolly et al (U.S. Patent

Number 5,325,419) and Torba et al (U.S. Patent Number 6,563,788 B1) are made, the

combination according to *claims 8 and 15*, Connolly et al further discloses wherein the

said AIN Route Analyzed message (announcement), comprises a Redirecting Party ID,

which reads on claimed "called party number". See column 32, line 6.

Regarding *claim 23*, as the above combination of Connolly et al (U.S. Patent Number

5,325,419) and Torba et al (U.S. Patent Number 6,563,788 B1) are made, the

combination according to *claim 15*, Torba et al teaches in FIGURE 5, that a switch

(127) is connected to the said SCP and configured to route incoming calls with the

called party, which reads on claimed "second device." See column 12 lines 36-49.

6.   *Claims 11 and 18* are rejected under 35 U.S.C. 103(a) as being unpatentable

over Connolly et al (U.S. Patent Number 5,325,419) in view of Torba et al (U.S. Patent

Number 6,563,788 B1) and in further view of Koster (U.S. Patent Number 5,511,111).

Regarding *claims 11 and 18*, as the above combination of Connolly et al (U.S. Patent

Number 5,325,419) and Torba et al (U.S. Patent Number 6,563,788 B1) are made, the

combination according to *claims 8 and 15*, fail to disclose wherein the call set-up

message comprises a Transaction Capabilities Application Part query.

      Koster teaches in columns 2 and 3 lines 41-67 lines 1-46, respectively, of a

Transaction Capabilities Application Part message utilized as signaling transport

medium containing instructions detrimental in a said AIN for call-set up purposes.

      Therefore, at the time of the invention it would have been obvious to a person of

ordinary skilled in the art to modify Connolly et al (U.S. Patent Number 5,325,419) and

Torba et al (U.S. Patent Number 6,563,788 B1) to further included Koster (U.S. Patent

Number 5,511,111) in order provide a signaling means for the establishment of a call.

7.   *Claims 13 and 20* are rejected under 35 U.S.C. 103(a) as being unpatentable

over Connolly et al (U.S. Patent Number 5,325,419) in view of Torba et al (U.S. Patent

Number 6,563,788 B1) and in further view of Serbetcioglu et al (U.S. Patent Number

5,511,111).

Regarding **claims 13 and 20**, as the above combination of Connolly et al (U.S. Patent

Number 5,325,419) and Torba et al (U.S. Patent Number 6,563,788 B1) are made, the

combination according to **claims 8 and 15,** fail to disclose determining whether the

incoming call is to be intercepted for a called party.

Serbetcioglu et al (U.S. Patent Number 5,511,111) teaches in column 3 lines 16-

21, of a feature server capable of intercepting an incoming call for a called subscriber

and prompt the subscriber to speak his or her name or punch in a pin number.

Therefore, at the time of the invention it would have been obvious to a person of

ordinary skilled in the art to modify Connolly et al (U.S. Patent Number 5,325,419) to

included Serbetcioglu et al (U.S. Patent Number 5,511,111) in order to provide a means

to intercept an incoming call for authorization purposes. In addition, in certain cases

where the incoming call is subject to be a telefax or modem, the respected call will be

directed accordingly.

8.   **Claims 14 and 21** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Connolly et al (U.S. Patent Number 5,325,419) in view of Torba et al (U.S. Patent

Number 6,563,788 B1) and in further view Poole et al (U.S. Patent Number 6,590,965

B1).

Regarding *claims 14 and 21*, as the above combination of Connolly et al (U.S. Patent

Number 5,325,419) and Torba et al (U.S. Patent Number 6,563,788 B1) are made, the

combination according to *claims 8 and 15 ,* fail to disclose of the generation of a

session for an incoming call with a session identifier.

Poole et al teaches in column 12 lines 18-31, of a session identifier and how it is

used to identify the initiation of an incoming call.

Therefore, at the time of the invention it would have been obvious to a person of

ordinary skilled in the art to modify Connolly et al (U.S. Patent Number 5,325,419) to

included Poole et al (U.S. Patent Number 6,590,965 B1) in order to allow the processor

the capability to identify the calling party's incoming call during the establishment of a

call sequence.

9.   *Claims 27-29* are rejected under 35 U.S.C. 103(a) as being unpatentable over

Connolly et al (U.S. Patent Number 5,325,419) in view of Criss et al (U.S. Patent

Number 6,643,506 B1).

Regarding *claim 27*, Connolly et al teaches of a portable hand-set terminal (first

device), which reads on claimed "wireless communication device", comprising:

- receiving an announcement or page request, as taught in column 32 lines 48-52,

  which reads on claimed "alert message", indicating that an incoming call and

  caller information from the said SCP into the said portable hand-set terminal;

- recognizing, which reads on claimed "processing", the said announcement or

  page request. See column 32 lines 51-52.

- sending a message to the appropriate intelligent base station, which reads on

  claimed "communication device". See column 32 lines 54-55;

- sending a Page Response message, as taught in column 32 lines 53-56,

  indicating a destination communication device (second device) to receive the

  incoming call (see column 32 lines 56-59; and

- transmitting the said Page Response message from the said portable hand-set

  terminal to the Personal Communication System 2 (PCS2) then further to the

  said SCP, as taught in column 33 lines 10-23.

However, Connolly et al does not disclose a software product operable in the said

portable hand-set terminal when executed by a processor.

Criss et al teaches in column 8 lines 3-37 and in FIGURE 2, of an operating

system stored in the memory (50), which reads on claimed "software storage medium"

and is executed by the processor (40). The processor (40) can be programmed to

control and to operate the various components of the mobile terminal, which reads on

claimed "wireless communication device".

Therefore, at the time of the invention it would have been obvious to a person of

ordinary skilled in the art to modify Connolly et al (U.S. Patent Number 5,325,419) to

included Criss et al (U.S. Patent Number 6,643,506 B1) in order to identify the software

and processing means incorporated within the said portable hand-set terminal to

execute the desired functions to establish a call.

Regarding *claim 28*, as the above combination of Connolly et al (U.S. Patent Number

5,325,419) and Criss et al (U.S. Patent Number 6,643,506 B1) are made, the

combination according to *claim 27*, Connolly et al further teaches wherein the wireless

communication device comprises a radio cell portable handset terminal, essentially

representing a phone, which reads on claimed "cellular phone, pager, or a personal

digital assistant". See Abstract and column 7 lines 53-57.

Regarding *claim 29*, as the above combination of Connolly et al (U.S. Patent Number

5,325,419) and Criss et al (U.S. Patent Number 6,643,506 B1) are made, the

combination according to *claim 27*, Connolly et al further discloses wherein the said

AIN Route Analyzed message (announcement), comprises a Redirecting Party ID,

which reads on claimed "called party number". See column 32, line 6.

10.   *Claims 30-32* are rejected under 35 U.S.C. 103(a) as being unpatentable over

Connolly et al (U.S. Patent Number 5,325,419) in view of Janow (U.S. Patent Number

6,061,570 B1).

Regarding *claim 30*, Connolly et al teaches of a portable hand-set terminal (first

device), which reads on claimed "wireless communication device", comprising:

- receiving an announcement or page request, as taught in column 32 lines 48-52, which reads on claimed "alert message", indicating that an incoming call and caller information from the said SCP into the said portable hand-set terminal;·

- recognizing, which reads on claimed "processing", the said announcement or page request. See column 32 lines 51-52.

- sending a message to the appropriate intelligent base station, which reads on claimed "communication device". See column 32 lines 54-55;

- sending a Page Response message, as taught in column 32 lines 53-56, indicating a destination communication device (second device) to receive the incoming call (see column 32 lines 56-59; and

- transmitting the said Page Response message from the said portable hand-set terminal to the Personal Communication System 2 (PCS2) then further to the said SCP, as taught in column 33 lines 10-23.

However, Connolly et al does not disclose a processor operable to receive an incoming message and transmit the said message via an interface.

Janow teaches in claim language number 15, that the processor receives signals indicating an incoming message. In addition, Janow teaches in column 4 lines 8-11, that the processor is coupled to an interface circuit operable to send and receive messages.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Connolly et al (U.S. Patent Number 5,325,419) to included Janow (U.S. Patent Number 6,061,570 B1) in order to provide a processing

means incorporated therein a said portable hand-set terminal operable to receive

incoming messages from a coupled interface.

Regarding *claim 31*, as the above combination of Connolly et al (U.S. Patent Number

5,325,419) and Janow (U.S. Patent Number 6,061,570 B1) are made, the combination

according to *claim 30*, Connolly et al further teaches wherein the wireless

communication device comprises a radio cell portable handset terminal, essentially

representing a phone, which reads on claimed "cellular phone, pager, or a personal

digital assistant". See Abstract and column 7 lines 53-57.

Regarding *claim 32*, as the above combination of Connolly et al (U.S. Patent Number

5,325,419) and Janow (U.S. Patent Number 6,061,570 B1) are made, the combination

according to *claim 30*, Connolly et al further discloses wherein the said AIN Route

Analyzed message (announcement), comprises a Redirecting Party ID, which reads on

claimed "called party number". See column 32, line 6.

Response to Arguments

Applicant's arguments with respect to *claims 1-32* have been considered but are

moot in view of the new ground(s) of rejection.

The Examiner would like to thank the Applicant for amending the claims to more

clearly explain the motive of the claimed invention; however, the Examiner stands

assured that the Applicant's claimed language parallels in comparison with cited prior

art, in particular, Connolly et al. (U.S. Patent Number 5,325,419). The Applicant asserts

that Connolly et al. does not teach the transmission of an incoming call; however, the

Examiner maintains that the "process," described in Connolly's et al column 31 lines 51-

67 and column 32 lines 1-67 of, details the receiving of an incoming call from a first

device.

Secondly, the Applicant further argues that the functionality of Connolly et al.

does not clearly teach of the said first device sending a message to the said SCP to

redirect the call in response to the said AIN message, the functionality is incorporated

with the architecture of the system instead of the said portable handset device.   The

Examiner would like to draw the Applicant's attention to the following:

In re Japikse, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950) (Claims to a hydraulic

power press which read on the prior art except with regard to the position of the starting

switch were held unpatentable because shifting the position of the starting switch would

not have modified the operation of the device.);

In re Kuhle, 526 F.2d 553, 188 USPQ7 (CCPA 1975) (the particular placement

of a contact in a conductivity measuring device was held to be a matter of design

choice).

The present Application details the "processing" of the incoming call as being

primarily performed at the said wireless device; yet, the same "processing" in the prior

art is being performed at the PCS Switching device. Therefore, since the final results

are identical, the transferring of the functionality of the said "processing" from the said

system to the wireless device does not merely render the instant application patentable.

Therefore, based on the above rejection and the additional presented

information, the Examiner concludes that *claims 1, 3-8, 10-15, 17-21 and 23-32* stand

rejected based on the new grounds of rejection.

` Conclusion`

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Randy Peaches whose telephone number is (703) 305-

8993. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379. The fax

phone number for the organization where this application or proceeding is assigned is

703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Randy Peaches
February 8, 2005

**CHARLES APPIAH
PRIMARY EXAMINER**